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March 8, 2023

The Honorable Ramon E. Reyes, Jr.  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

*Re: United States v. Douglass Mackey, Criminal Docket No. 21-0080 (NGG)*

Dear Magistrate Judge Reyes:

On behalf of Douglass Mackey, I write to propose questions for *voir dire* in the above-referenced case, scheduled for March 13, 2023, and to lodge objections to the government's proposed *voir dire*.

I will be assisted at trial by Emily Tannenbaum, a law student.

For **background questions**, Mr. Mackey proposes that jurors be asked from where they get their news in addition to the government's proposed "Questions About Jurors' Backgrounds."

Mr. Mackey **objects** to the government's proposed questions 13, 15, 16, 20, and 21. The questions are unduly slanted in the government's favor or otherwise are best left for the preliminary and final jury instructions of Judge Garaufis.

Mr. Mackey proposes the following **introductory remarks**:

Ladies and gentlemen, you are prospective jurors in a criminal case. I will now tell you a little about the case as we endeavor to select jurors that can be fair and impartial for this case. In a criminal case, the government bears the burden of proving guilt beyond a reasonable doubt. The defendant is presumed and innocent. The presumption of innocence is only overcome if and when the government proves guilt beyond a reasonable doubt.

I will now introduce you to the people in the well of the Courtroom . . .

In this case, the government charges Mr. Mackey, also known as "Ricky Vaughn," with Conspiracy Against Rights, in violation of Title 18, United States Code, Section

241. In sum and substance, the government alleges that Mr. Mackey worked in concert with others to spread disinformation about the time, place and manner of voting during the lead up to the Presidential Election of 2016. This is just the charge; Mr. Mackey has pled not guilty.

Mr. Mackey proposes the following questions:

1. How do you use the internet and are you concerned about the reliability of the information you find there?
2. Do you tweet, post stories, blog or otherwise use the internet to communicate to the public?
3. Have you or a member of your family ever felt bullied or targeted by a post or story on the internet?
4. Do you think there should be more or less government supervision/regulation of what is posted on the internet?
5. Have you ever been involved in voter education or registration or any “get out the vote” effort?
6. Do you trust and rely on news and public events information that you get from TV, cable or internet sources?
7. Have you ever posted or reposted a meme? If so, please describe where and when and the subject matter of the meme?

Respectfully submitted,

*/s/ Andrew J. Frisch*  
Andrew J. Frisch

cc: AUSA Erik Paulsen  
AUSA Turner Buford  
AUSA William Gullotta